

**REMARKS**

In the final Office Action, the Examiner rejected claims 1-9 under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 6,035,526 of Saruta et al. ("*Saruta et al.*"); and rejected claims 10-17 under 35 U.S.C. § 103(a) as unpatentable over *Saruta et al.* and U.S. Patent No. 5,926,161 of Furuhashi ("*Furuhashi*").

Applicant proposes amending claims 1, 4, 5, 10, 16, and 17 to more appropriately define the invention. Upon entry of the claim amendments, claims 1-17 will remain pending.

**Rejection of Claims 1-9 under 35 U.S.C. § 102(b)**

Applicant respectfully traverses the Examiner's rejection of claims 1-9 as being anticipated by *Saruta et al.*

In order to properly establish that *Saruta et al.* anticipates Applicant's claimed invention under 35 U.S.C. § 102, each and every element of each of the claims in issue must be found, either expressly described or under principles of inherency, in that single reference. Furthermore, "[t]he identical invention must be shown in as complete detail as is contained in the . . . claim." See M.P.E.P. § 2131, quoting *Richardson v. Suzuki Motor Co.*, 868 F.2d 1126, 1236, 9 U.S.P.Q.2d 1913, 1920, (Fed. Cir. 1989). Regarding the 35 U.S.C. § 102(b) rejection, *Saruta et al.* does not disclose each and every element of Applicant's present invention as claimed.

Amended claim 1 is directed to a device *for repairing a defective pixel electrode on a thin film transistor substrate of a liquid crystal display*, comprising: an applicator for being precisely positioned on the defective pixel electrode; and a tank containing an opaque material, *wherein the applicator applies the opaque material to be in contact*

*with the defective pixel electrode of the thin film transistor substrate of the liquid crystal display.*

Amended independent claim 5 is directed to a method for repairing a liquid crystal display, comprising: providing a thin film transistor substrate of a liquid crystal display having a defective pixel electrode; providing an applicator with an opaque material; positioning the applicator on the defective pixel electrode; and *moving the applicator for getting in contact with the defective pixel electrode such that the opaque material is applied to be in contact with the defective pixel electrode.*

Nowhere does *Saruta et al.* teach or suggest an “applicator [that] **applies the opaque material to be in contact with the defective pixel electrode of the thin film transistor substrate of the liquid crystal display**” (emphasis added) as required by Applicant’s amended claim 1, or “*moving the applicator for getting in contact with the defective pixel electrode such that the **opaque material is applied to be in contact with the defective pixel electrode***” (emphasis added) as required by Applicant’s amended claim 5.

Therefore, *Saruta et al.* fails to disclose each and every element of Applicant’s independent claims 1 and 5. As a result, claims 1 and 5 are not anticipated by *Saruta et al.* and should be allowed thereover. Claims 2-4 and 6-9 are also patentable at least due to their respective dependence from patentable claims 1 and 5.

#### **Rejection of Claims 10-17 under 35 U.S.C. § 103(a)**

Applicant respectfully traverses the Examiner’s rejection of claims 10-17 as being unpatentable over *Saruta et al.* and *Furuhashi*.

In order to establish a *prima facie* case of obviousness, three basic criteria must be met. First, the prior art reference (or references when combined) must teach or

suggest all the claim elements. Second, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify a reference or to combine reference teachings. Third, there must be a reasonable expectation of success. See M.P.E.P. § 2143.

Amended independent claim 10 is directed to a liquid crystal display comprising: a thin film transistor substrate having a plurality of scan lines, a plurality of data lines, a plurality of pixel electrodes, and a plurality of thin film transistors individually electrically connected to the scan lines, the data lines, and the pixel electrodes, wherein one of the pixel electrodes is defective; a color filter substrate defining a plurality of pixel areas corresponding to the pixel electrodes; and *an opaque material applied on and in contact with the defective pixel electrode of the thin film transistor substrate.*

Nowhere does *Saruta et al.* or *Furuhashi* teach or suggest “***an opaque material applied on and in contact with the defective pixel electrode of the thin film transistor substrate***” (emphasis added) as required by Applicant's amended claim 10.

Since *Saruta et al.* and *Furuhashi*, alone or in combination, fail to teach or suggest every element of claim 10, claim 10 and claims 11-17 that depend therefrom are allowable over *Saruta et al.* and *Furuhashi*.

Applicant respectfully requests that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner, placing claims 1-17 in condition for allowance. Applicant submits that the proposed amendments of claims 1, 4, 5, 10, 16, and 17 do not raise new issues or necessitate the undertaking of any additional search of the art by the Examiner. Therefore, this Amendment should allow for immediate action by the Examiner.

Furthermore, Applicant submits that the entry of the Amendment would place the application in better form for appeal, should the Examiner dispute the patentability of the pending claims.

In view of the above amendments and remarks, the pending claims should be allowed over the cited references. Reconsideration and withdrawal of the rejections are respectfully requested. Allowance of Claims 1-17 is solicited so that this application may be passed to issuance.

Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

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By: \_\_\_\_\_



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